

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 06-193 (1) (RHK/AJB)

Plaintiff,

ORDER

v.

Carl Lee Richardson,

Defendant.

In an August 30, 2006 Report and Recommendation, Magistrate Judge Arthur J. Boylan has recommended denial of Defendant's Motion to Suppress Evidence and Motion to Suppress Statements. Before the Court are Defendant's Objections to these recommendations.

The Court has conducted the required de novo review to the objected to portions of the Report and Recommendation, in which he included the transcript (Doc. No. 40) of the July 24, 2006 pretrial motions hearing before Judge Boylan. In addition, the parties have submitted memoranda adding the issue now before this Court.

The de novo review of the proceedings before Judge Boylan satisfies the Court that Judge Boylan's recommended dispositions should be upheld; they are supported by the record before him as well as applicable legal precedent.

Accordingly, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. Defendant's Objections (Doc. No. 45) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 43) is **ADOPTED**;

3. Defendant's Motion to Suppress Evidence from Search and Seizure (Doc. No. 19) is

DENIED; and

4. Defendant's Motion to Suppress Statements (Doc. No. 20) is **DENIED**.

Dated: October 25, 2006.

s/Richard H. Kyle

RICHARD H. KYLE

United States District Judge